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ABSTRACT

This booklet describes the history, procedures, and the courthouse, plus offering a brief vita for each justice. The pamphlet explains the role of the Supreme Court as the constitutional interpretor and applicator of the United States governmental system, recounting a history of the development of that role. The organization of the court is treated historically as well, dating from the initial assembly in 1790 with a Chief Justice and five Associate Justices to the present court of a Chief Justice and eight Associate Justices. Court traditions, many of them dating from 1790, are described, such as longevity of tenure, absence of wigs, use of quill pens, and the traditional seal. The pamphlet also surveys court procedures and schedules. Each justice is pictured, with a brief summary of his background and accomplishments. The booklet concludes with a history of the various buildings occupied by the court and a verbal tour of the present building. (CK)

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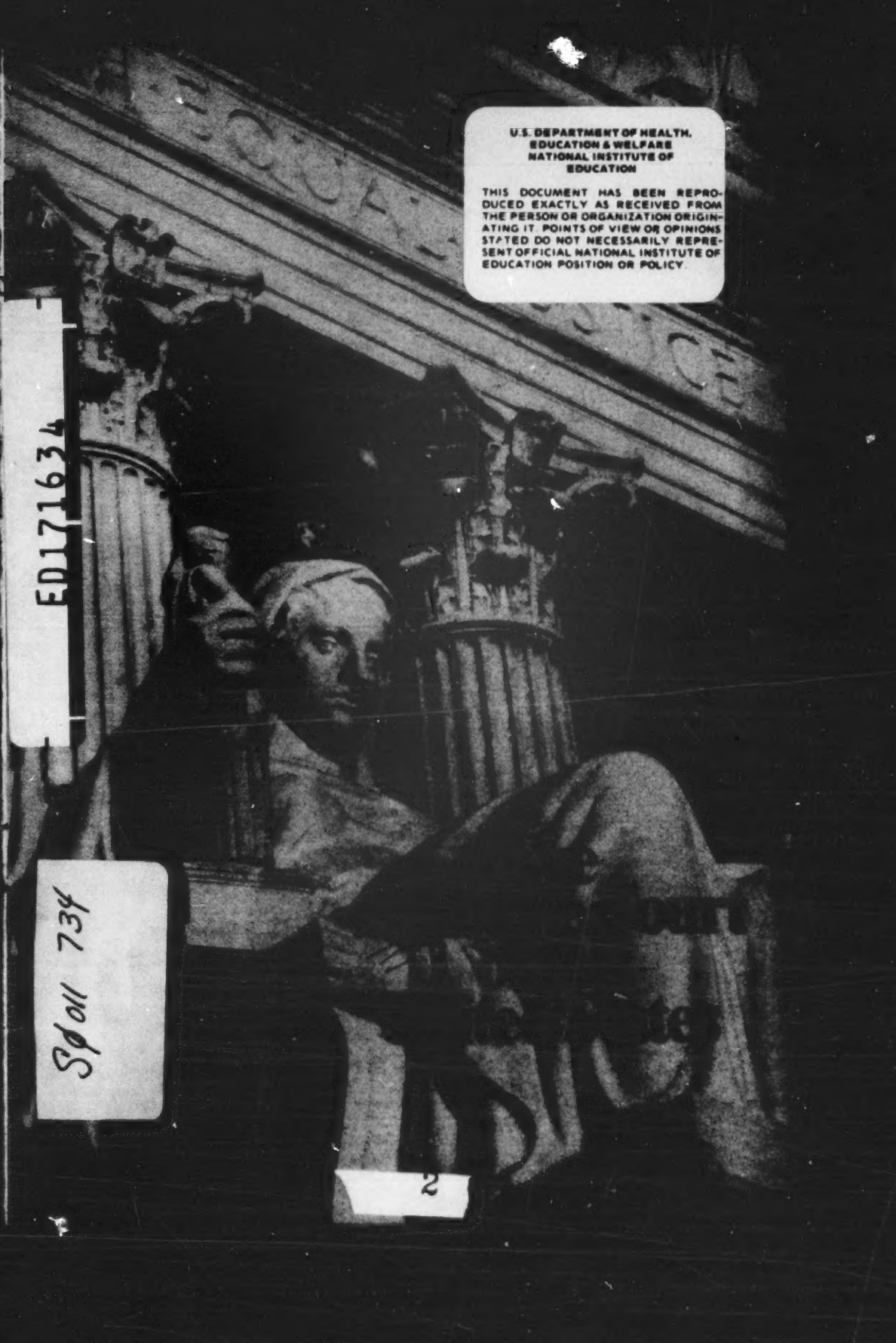

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"The Republic endures
and this is the symbol
of its faith."

—CHIEF JUSTICE CHARLES EVANS HUGHES
Cornerstone Address - Supreme Court Building

The Court and Constitutional Interpretation

"Equal Justice Under Law"—These words, written above the main entrance to the Supreme Court Building, express the ultimate responsibility of the Supreme Court of the United States. The Court is the highest tribunal in the Nation for all cases and controversies arising under the Constitution or the laws of the United States. As the final arbiter of the law, the Court is charged with ensuring the American people the promise of equal justice under law, and, thereby, also functions as guardian and interpreter of the Constitution.

The Supreme Court is "distinctly American in concept and function," as Chief Justice Charles Evans Hughes observed. Few other courts in the world have the same authority of constitutional interpretation and none have exercised it for as long or with as much influence. Over 140 years ago, the French political observer Alexis de Tocqueville noted the unique position of the Supreme Court in the history of nations and of jurisprudence. "The representative system of government has been adopted in several states of Europe," he remarked, "but I am unaware that any nation of the globe has hitherto organized a judicial power in the same manner as the Americans. . . . A more imposing judicial power was never constituted by any people."

The unique position of the Supreme Court stems, in large part, from the deep commitment of the American people to the Rule of Law and to constitutional government. The United States has demonstrated an unprecedented determination to preserve and pro-

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tect its written Constitution, thereby providing the American "experiment in democracy" with the oldest written constitution still in force.

The Constitution of the United States is a carefully balanced document. It is designed to provide for a national government sufficiently strong and flexible to meet the needs of the Republic, yet sufficiently limited and just to protect the inalienable rights of its citizens; it permits a balance between society's need for order and the individual's right to freedom. To assure these ends, the Framers of the Constitution created three coequal branches of government, each with checks upon the others, to prevent overreaching of authority by any branch. That this Constitution has provided continuous democratic government through the periodic stresses of nearly two centuries illustrates the genius of the American system of government.

The complex role of the Supreme Court in this system derives from its authority to invalidate legislation or executive actions which, in the Court's considered judgment, conflict with the Constitution. This power of "judicial review" has given the Court a crucial responsibility in assuring individual rights, as well as in maintaining a "living Constitution" whose broad provisions are continually applied to complicated new situations.

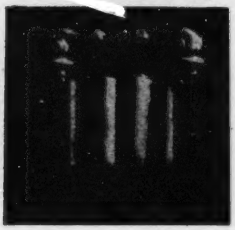
While this function is not explicitly provided in the Constitution, it had been anticipated before the adoption of that document. Many state courts had already invalidated acts which conflicted with state constitutions. Moreover, many of the Founding Fathers expected the Supreme Court to assume this role in regard to the Constitution; Alexander Hamilton and James Madison, for example, had underlined the importance of judicial review in the *Federalist Papers*, which urged adoption of the Constitution.

Hamilton had written that by invalidating unconstitutional legislation the Court would be ensuring that *the will of the whole people*, as expressed in their Constitution, would be supreme over *the will of a legislature*, whose statutes might express only the temporary will of part of the people. And Madison had written that constitutional in-

Scales and Lamp
Justice and Wisdom

Moses
Lawgiver

Book and Torches
Education and Knowledge



terpretation must be left to the calm judgment of independent judges, rather than to the tumult and conflict of the political process. If every constitutional question were to be decided by public political bargaining, Madison argued, the Constitution would be reduced to a battleground of competing factions, political passion and partisan spirit.

Despite this background, however, the Court's power of judicial review was not confirmed until 1803, when it was invoked by Chief Justice John Marshall in *Marbury v. Madison.* In this decision, the Chief Justice asserted that the Supreme Court's responsibility to invalidate unconstitutional legislation was a necessary consequence of its sworn duty to uphold the Constitution. "It is emphatically the province of the judicial department to say what the law is," he declared.

In retrospect, it is evident that constitutional interpretation and application were made necessary by the very nature of the Constitution. The Founding Fathers had wisely worded that document in rather general terms, leaving it open to future elaboration as needed. As Chief Justice Marshall noted in the decision in *McCulloch* v. *Maryland,* a constitution that attempted to detail every aspect of its own application "would partake of the prolixity of a legal code and could scarcely be embraced by the human mind. . . . Its nature, therefore, requires that only its great outlines should be marked, its important objects designated and minor ingredients which compose those objects be deduced from the nature of the objects themselves."

The Constitution limits the Court to dealing with "Cases" and "Controversies." Chief Justice John Jay clarified this restraint early in the Court's history by declining to advise President George Washington on the constitutional implications of a proposed foreign policy decision. The Court does not give advisory opinions; rather, its constitutional elaboration is limited only to the resolution of specific cases.

The Justices must exercise considerable discretion in deciding which cases to hear, since some 4,000 civil and criminal cases are filed in the Supreme Court each year from the various state and federal courts. The Supreme Court also has "original jurisdiction" in a very small number of cases arising out of disputes between States or between a State and the Federal Government.

When the Supreme Court rules on a case, its judgment is virtually final; its decisions can be altered only by the rarely used procedure of constitutional amendment or by the amendment of a statute in response to the Court's interpretation. This places an awesome responsibility on the Court, for, as the inscription over the east front of the Court Building proclaims, the Supreme Court must assure "Justice, the Guardian of Liberty," and its pronouncements of justice must be according to law.

Chief Justice Marshall expressed the challenge which the

Supreme Court faces in maintaining free government by noting: "We must never forget that it is a *constitution* we are expounding . . . intended to endure for ages to come, and consequently, to be adapted to the various crises of human affairs."

The Court as an Institution

The Supreme Court is an institution steeped in traditions, albeit traditions that have evolved through its long history. The Constitution elaborated neither the exact powers and prerogatives of the Supreme Court nor the organization of the Judicial Branch as a whole. Thus, it was left to Congress and to precedents set by the Justices of the Court to develop the Federal Judiciary.

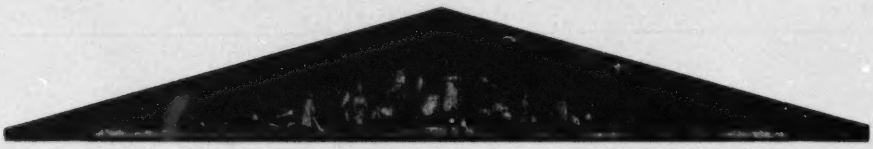
This was clearly a high priority item for the new Government, and the first bill introduced in the United States Senate became the Judiciary Act of 1789. This Act established federal district courts throughout the country, as the first tier of the federal court system. Individual Justices of the Supreme Court were required to make semiannual trips through the Nation to try cases and to join with district judges to constitute circuit courts, the middle tier. The Supreme Court, as the final court of appeals, was to reside in the Nation's Capital and was initially established with a Chief Justice and five Associate Justices.

The Supreme Court first assembled on February 1, 1790, in the Royal Exchange Building in New York City—then the Nation's Capital. John Jay, the first Chief Justice, was, however, forced to postpone the initial formal session of the Court until the next day since, with primitive transportation, a majority of the Justices were not able to reach New York City until February 2.

The earliest sessions of the Court were devoted to organizational proceedings. The first cases reached the highest court of appeals during its second year, and the Justices handed down their first formal, written opinions in 1792, the Court's third year.

From its first decade of existence, the Supreme Court rendered significant decisions and established lasting precedents. Still, the first Justices complained of the Court's limited stature; they were also concerned about the burdens of "riding circuit" under difficult travel conditions.

Chief Justice Jay resigned from the Court in 1795 to become Governor of New York State and, despite the pleading of President John Adams, could not be persuaded to accept reappointment as



Chief Justice when the post became vacant in 1800. Consequently, President Adams, shortly before being succeeded in the White House by Thomas Jefferson, appointed John Marshall of Virginia to be the fourth Chief Justice.

This appointment was to have a significant and lasting effect on the Court. Chief Justice Marshall's stewardship in the formative years of the Court was central to the development of its role. Under his vigorous and able leadership the Court first began to assume the prominent role that it has come to play in the workings of American Government. Although his immediate predecessors had served rather brief terms, Marshall remained on the Court for 34 years and five months, and five of his colleagues served for 33, 31, 30, 23, and 20 years.

Members of the Supreme Court are appointed by the President subject to the advice and consent of the Senate. To provide an independent Judiciary and to protect judges from partisan pressures, the Framers provided that judges serve during "good Behaviour," which has generally been interpreted as meaning life terms. Also, the Constitution provides that judges' salaries may not be diminished while they are in office, thus removing even this possible external pressure.

The number of Justices on the Supreme Court changed six times before settling at the present total of nine in 1867. In the Court's long history, since 1790, there have been only 15 Chief Justices* and 90 Associate Justices, with Justices serving for an average of 15 years. Despite this important institutional continuity, however, the Court has had periodic infusions of new Justices and new ideas throughout its history; every President who has served at least one full term has appointed at least one Justice to the Supreme Court. President Washington appointed the six original Justices, and President Franklin D. Roosevelt appointed eight Justices and elevated Justice Harlan F. Stone to be Chief Justice during his Presidency.

*Since four Chief Justices had previously served as Associate Justices, there have been 101 Justices in all. This included former Justice John Rutledge, who was appointed Chief Justice under an interm commission during a recess of Congress and served for only four months in 1795. When the Senate failed to confirm him, his nomination was withdrawn: however, since he held the office and performed the judicial duties of Chief Justice, he is properly regarded as an incumbent of that office.

The Court and Its Traditions

For all of the changes in its history, the Supreme Court has retained so many traditions that it is essentially the same institution that first met in 1790, prompting one legal historian to call it "the first Court still sitting."

Longevity of tenure has been an important tradition, and recent Justices have perpetuated this tradition. The late Justice Hugo L. Black served for 34 years and one month prior to his retirement in 1971. And, in October 1973, Justice William O. Douglas surpassed the previous longevity record of Justice Stephen J. Field, who had served for 34 years and six months from 1863 to 1897; Justice Douglas was appointed to the Court in 1939 and remained to become the longest sitting member in Supreme Court history. He retired November 12, 1975, after serving 36 years and six months.

As is customary in American courts, the nine Justices are seated by seniority on the Bench. The Chief Justice occupies the center chair, the senior Associate Justice sits to his right, the second senior to his left, and so on, alternating right and left by seniority.

Since at least 1800, it has been traditional for Justices to wear black robes while in Court. Chief Justice Jay, and apparently his colleagues, lent a colorful air to the earlier sessions of the Court by wearing robes trimmed in various hues; these robes were similar to those worn by early colonial and English judges. The Jay robe of black, salmon and gold is now in the possession of the Smithsonian Institution.

Unlike English judges, the Justices of the Supreme Court do not wear wigs. When the first session of the Court convened in 1790, Justice Cushing arrived wearing the white wig that he had worn on the Massachusetts Bench. It is said that the gleeful hooting of small boys as they followed him through the streets convinced all the Justices to accept the anti-wig admonition of Thomas Jefferson: "For heaven's sake," he urged, "discard the monstrous wig which makes the English judges look like rats peeping through bunches of oakum."

Initially, all attorneys wore formal "morning clothes" when appearing before the Court. Senator George Wharton Pepper of Pennsylvania often told friends of the incident he provoked when, as a young lawyer in the 1890's, he arrived to argue a case in "street clothes." Justice Horace Gray was overheard whispering to a colleague, "Who is that beast who dares to come in here with a grey coat?" The young attorney was refused admission until he borrowed a "morning coat." Today, the tradition of formal dress is generally adhered to only by Department of Justice and other government lawyers, who serve as ad-

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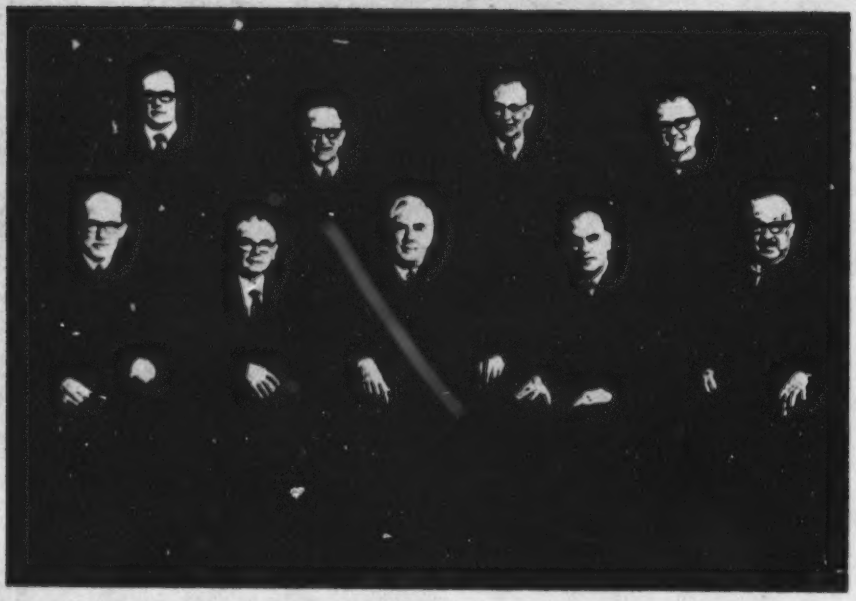
The Justices of the Supreme Court

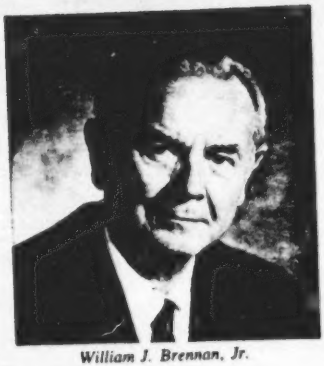


Seated left to right: Associate Justices Byron R. White, William J. Brennan, Jr., Chief Justice Warren E. Burger, Associate Justices Potter Stewart, Thurgood Marshall. Standing left to right: Associate Justices William H. Rehnquist, Harry A. Blackmun, Lewis F. Powell, Jr., John Paul Stevens

WARREN E. BURGER, Chief Justice of the United States, was born in St. Paul, Minnesota, September 17, 1907. He married Elvera Stromberg and has two children—Wade Allan and Margaret Elizabeth. He attended the University of Minnesota and received his LL.B. from St. Paul College of Law where he taught as an adjunct professor from 1931-45. He engaged in private practice from 1931-53, and served as Assistant Attorney General of the United States from 1953-56 and as a Judge of the United States Court of Appeals from 1956-69 by appointment of President Eisenhower. He was nominated Chief Justice by President Nixon on May 22, 1969, and took his seat June 23, 1969. He was chairman of the American Bar Association Criminal Justice Project (1967-1969) which made a comprehensive review of American criminal law. He is Honorary Chairman, Institute of Judicial Administration, and Trustee, National Geographic Society. By statute, the Chief Justice serves as Chairman of the Judicial Conference of the United States; Chairman of the Federal Judicial Center, the research, development and educational arm for the Judiciary; Chancellor, Smithsonian Institution; and Chairman, Board of Trustees, National Gallery of Art.

Warren E. Burger

WILLIAM J. BRENNAN, JR., Associate Justice, was born in Newark, New Jersey, April 25, 1906. In 1928, he married Marjorie Leonard and has three children—William J., III, Hugh Leonard, and Nancy. He received his B.S. from the University of Pennsylvania in 1928 and his LL.B. from Harvard Law School in 1931. He practiced law from 1931-42 and 1945-49. He served during World War II as an officer of the General Staff Corps, U.S. Army, with the rank of colonel. He first served on the Bench in the New Jersey Superior Court and was later appointed Associate Justice of the New Jersey Supreme Court. He was nominated to the United States Supreme Court by President Eisenhower and took his seat October 16, 1956.



William J. Brennan, Jr.

Potter Stewart

POTTER STEWART, Associate Justice, was born in Jackson, Michigan, January 23, 1915, but his home has always been Cincinnati, Ohio. He married Mary Ann Bertles in 1943 and has three children—Harriet, Potter, Jr., and David. He received his A.B. from Yale, studied at Cambridge University, England, on a Henry Fellowship, and obtained his LL.B. from Yale. He practiced law in New York and Cincinnati from 1941-54. From 1942-45, he served on active duty as an officer in the U.S. Naval Reserve. From 1954-58, he served as a Judge of the United States Court of Appeals for the Sixth Circuit; at the time of his appointment, he was, at 39, the youngest federal judge in the country. President Eisenhower nominated him as an Associate Justice of the Supreme Court, and he took his seat October 14, 1958.

BYRON R. WHITE, Associate Justice, was born in Fort Collins, Colorado, June 8, 1917. He married Marion Lloyd Stearns in 1946 and has two children—Charles Byron and Nancy Pitkin. He received a B.A. from the University of Colorado, was a Rhodes Scholar, Oxford, England, and received his LL.B. from Yale Law School. From 1942-46, he served in the U.S. Naval Reserve. He then worked as a law clerk to Chief Justice Vinson at the United States Supreme Court during the 1946-47 Term and practiced law from 1947-60. From 1961-62, he was Deputy Attorney General of the United States. He was nominated to the Supreme Court by President Kennedy and took his seat April 16, 1962. His background includes membership on the College All-American Football Team 1937 and playing professional football with the Pittsburgh Steelers and the Detroit Lions; in 1954, he was named to the National Football Hall of Fame.

Byron R. White

Thurgood Marshall

THURGOOD MARSHALL, Associate Justice, was born in Baltimore, Maryland, July 2, 1908. He married Cecilia A. Suyat and has two children– Thurgood, Jr. and John William. He did his undergraduate study at Lincoln University and in 1933 received his LL.B. from Howard University Law School in Washington, D.C. He entered private practice in Baltimore and became counsel for the Baltimore branch NAACP in 1934. In 1936, he joined the organization's national legal staff and in 1938 was appointed Chief Legal Officer. From 1940 until his appointment to the Federal Bench, he served as Director-Counsel of the NAACP Legal Defense and Educational Fund. He served as a Judge of the United States Court of Appeals for the Second Circuit from 1961-65 and as Solicitor General of the United States from 1965-67. President Johnson nominated him to the Supreme Court, and he took his seat October 2, 1967.

HARRY A. BLACKMUN, Associate Justice, was born in Nashville, Illinois, November 12, 1908. He married Dorothy E. Clark in 1941 and has three children—Nancy Clark, Sally Ann, and Susan Manning. He received his A.B. and LL.B. from Harvard and served as law clerk to the Honorable John B. Sanborn, Judge of the United States Court of Appeals for the Eighth Circuit from 1932-33. From 1934-50, he practiced law in Minneapolis and served on the faculties of St. Paul College of Law and the University of Minnesota Law School. He was resident counsel for the Mayo Clinic and Mayo Foundation from 1950-59. From 1959-70, he served as a Judge of the United States Court of Appeals for the Eighth Circuit. President Nixon nominated him to the Supreme Court, and he took his seat June 9, 1970.

Harry A. Blackmun

Lewis F. Powell, Jr.

LEWIS F. POWELL, JR., Associate Justice, was born September 19, 1907, in Suffolk, Virginia. He married Josephine Pierce Rucker in 1936 and has four children—Mrs. Richard S. Smith, Mrs. Basil T. Carmody, Mrs. Christopher J. Sumner, and Lewis F. Powell, III. He received his B.S. and LL.B. from Washington and Lee University and his LL.M. from Harvard Law School. He practiced law in Richmond, Virginia, 1932-71, and from 1937 was a partner in Hunton, Williams, Gay, Powell and Gibson. He has a long record of public service that includes membership on the National Commission on Law Enforcement and Administration of Justice, National Advisory Committee on Legal Services to the Poor, and Virginia Constitution Revision Commission. He also has been President of the Virginia State Board of Education. He served with the U.S. Army Air Force during World War II and held ranks from first lieutenant to colonel. He has been President of the American Bar Association, the American College of Trial Lawyers and the American Bar Foundation. President Nixon nominated him to the Supreme Court, and he took his seat January 7, 1972.

WILLIAM H. REHNQUIST, Associate Justice, was born in Milwaukee, Wisconsin, October 1, 1924. He married Natalie Cornell and has three children—James, Janet, and Nancy. From 1943-46, he served in the U.S. Army Air Force. He received a B.A., M.A. and LL.B. from Stanford University and an M.A. from Harvard University. He served as a law clerk for Justice Robert H. Jackson of the Supreme Court and practiced law in Phoenix, Arizona, from 1953-69. He served as Assistant Attorney General, Office of Legal Counsel from 1969-71. President Nixon nominated him to the Supreme Court, and he took his seat January 7, 1972. Mr. Justice Rehnquist is the youngest Associate Justice presently on the Supreme Court.

William H. Rehnquist

John P. Stevens

JOHN PAUL STEVENS, Associate Justice, was born in Chicago, Illinois, April 20, 1920. He married Elizabeth Jane Sheeren in 1942 and has four children—John Joseph, Kathryn Stevens Jedlicka, Elizabeth Jane, and Susan Roberta. He received an A.B. from the University of Chicago in 1941 and a J.D. from Northwestern University School of Law in 1947. He served in the United States Navy 1942-45, and was a law clerk to Justice Wiley Rutledge of the Supreme Court during the 1947-48 Term. He was admitted to law practice in Illinois in 1949. He was Associate Counsel to the Subcommittee on the Study of Monopoly Power of the Judiciary Committee of the United States House of Representatives, 1951-52, and a member of the Attorney General's National Committee to Study Anti-trust Law, 1953-55. From 1970-75 he served as a Judge of the United States Court of Appeals for the Seventh Circuit. President Ford nominated him as an Associate Justice of the Supreme Court, and he took his seat December 19, 1975.

THE JUSTICES' CASELOAD

The Court's caseload has increased steadily, reaching a total of 4,668 cases on the docket for the Term ending June 1975. The increase has been rapid in recent years. In 1960, only 2,313 cases were on the docket, and in 1945, only 1,460. Plenary review, with oral argument by attorneys, is granted in 150 to 180 cases per Term. Formal written opinions are delivered in 125 to 150 cases. Approximately 200 additional cases, primarily appeals, are disposed of without granting plenary review. The publication of a Term's written opinions, including concurring opinions, dissenting opinions and orders, approaches 5,000 pages. Some opinions are revised a dozen or more times before they are announced.

vocates for the United States Government. Most private attorneys wear dark business suits and ties when appearing before the Court, but some still follow the more formal custom.

Quill pens have remained part of the Courtroom scene. Twenty ten-inch white quills, crossed on writing pads, are placed on counsel tables each day that the Court sits, as was done at the earliest sessions of the Court.

The "Conference handshake" has been a tradition since the days of Chief Justice Melville W. Fuller in the late 19th century. When the Justices assemble to go on the Bench each day and at the beginning of the private Conferences at which they discuss decisions, each Justice shakes hands with each of the other eight. Chief Justice Fuller instituted the practice as a reminder that differences of opinion on the Court did not preclude overall harmony of purpose.

The Supreme Court has a traditional seal, which is similar to the Great Seal of the United States, but which has a single star beneath the Eagle's claws—symbolizing the Constitution's creation of "one Supreme Court." The Seal of the Supreme Court of the United States is kept in the custody of the Clerk of the Court and is stamped on official papers, such as certificates given to attorneys newly admitted to practice before the Supreme Court. The Seal presently used is the fifth in the Court's history.

The Court and Its Procedures

The Term of the Supreme Court begins, by statute, on the first Monday in October and usually lasts for nine months, until late June. The Term is divided between "sittings" for the hearing of cases and delivering of opinions, and intervening "recesses" for the consideration of the business before the Court and the writing of opinions. Customarily, sittings and recesses alternate at approximately two-week intervals.

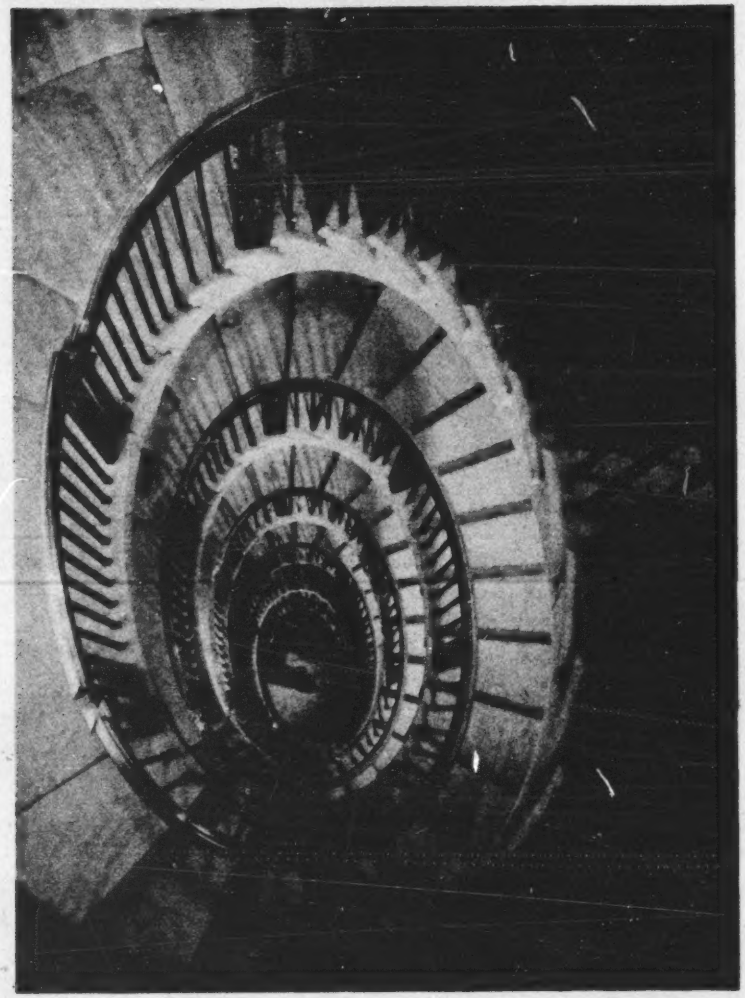
Generally 25 to 30 cases are argued orally before the Court at one sitting. Since the cases almost always involve the review of a decision of some other court, there is no jury and no witnesses are heard. In each case, the Court has before it a record of the prior court's proceedings, with printed briefs containing the arguments of each side.

Oral argument is heard in all cases granted plenary review.

During the intervening recess period, the Justice study the argued and the forthcoming cases and work on their opinions. Each Justice must also evaluate petitions seeking review and jurisdictional statements filed in appeals to determine which cases are to be granted plenary review and disposed of after oral argument.

When the Court is sitting, public sessions begin at 10 a.m. and

Two self-supporting elliptical spiral staircases connect five stories. Few others exist in the world. The Paris Opera and the Vatican are among those with similar structures.



continue until 3 p.m., with a one-hour recess starting at noon. No public sessions are held on Fridays or Saturdays. On Fridays during and preceding argument weeks, the Justices conduct private Conferences to discuss and vote on petitions and jurisdictional statements seeking review as well as cases argued.

When in session, the 10 a.m. entrance of the Justices into the Courtroom is announced by the crier. Those present, at the sound of the gavel, arise and remain standing until the black-robed Justices are seated following the crier's traditional chant: "Oyez! Oyez! Oyez! All persons having business before the Honorable, the Supreme Court of the United States, are admonished to draw near and give their attention, for the Court is now sitting. God save the United States and this Honorable Court!"

The first order of business generally is the release of an Orders List, an accounting of Court actions including the acceptance and rejection of cases. New members are admitted to the Court Bar, opinions are released, and then the Court begins hearings. Opinions may be released on any day when the Court is sitting. Cases are heard consecutively and uninterruptedly with each side usually receiving thirty minutes.

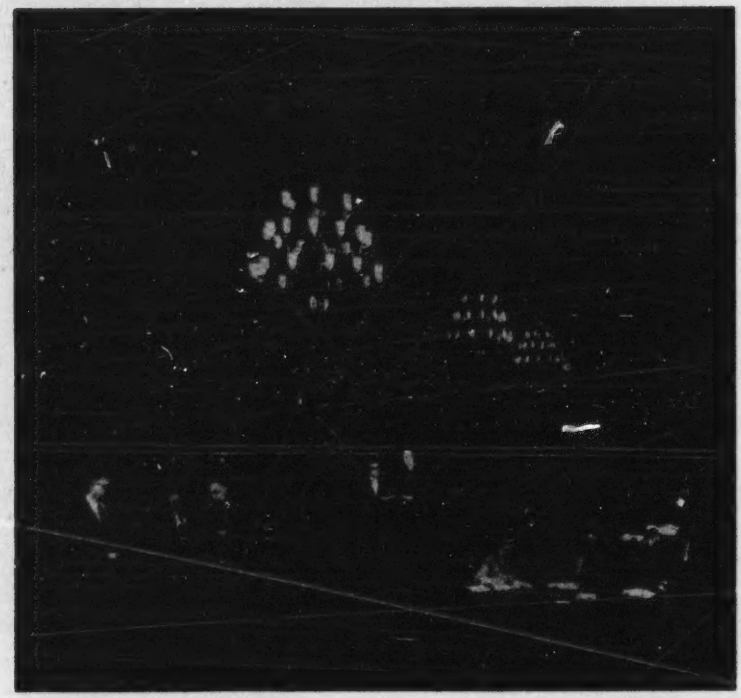
The Court maintains this schedule each Term until all cases ready for submission have been heard and decided. It then adjourns until the first Monday in October, the start of the next Term. The work of the Justices is unceasing, however. During the summer recess, as during all other times, they receive approximately 80 new petitions for review each week and must make preliminary decisions regarding cases to be considered during the coming Term. The summer "vacation" is thus not a vacation in the common understanding of that word.

The Court Building

"The Republic endures and this is the symbol of its faith." These words, spoken by Chief Justice Charles Evans Hughes, in laying the cornerstone for the Supreme Court Building on October 13, 1932, express the central importance of the Supreme Court in the American system.

Yet surprisingly, despite its role as a coequal branch of government, the Supreme Court did not establish Chambers in a building of its own until 1935, the 145th year of its existence.

Initially, the Court met in the Royal Exchange Building in New York City. When the National Capital moved to Philadelphia, the



Main reading room, Supreme Court Library

Court moved with it, establishing Chambers first in Independence Hall and later in the City Hall.

The Federal Government then moved, in 1800, to the new city and permanent Capital: Washington, the District of Columbia. Since no provision had been made for a Judiciary building, Congress loaned the Court space in the initial sections of the new Capitol Building. The Court was to change its meeting place a half dozen times within the Capitol. Additionally, the Court convened for a short period in private homes after the British had used Supreme Court documents to set the Capitol "to the torch." Following this episode, the Court returned to the Capitol and met from 1819 to 1860 in a chamber that has recently been restored as the "Old Supreme Court Chamber." Then from 1860 until 1935, the Court sat in what is now known as the "Old Senate Chamber."

Finally in 1929, former President William Howard Taft, who was Chief Justice from 1921 to 1930, persuaded Congress to end this arrangement and authorize the construction of a permanent "home" for the Court. Architect Cass Gilbert then set out to design "a building of

dignity and importance suitable for its use as the permanent home of the Supreme Court of the United States."

Neither Taft nor Gilbert survived to see the Supreme Court Building completed. Leadership for the project was, however, taken up by Chief Justice Hughes and architects Cass Gilbert, Jr., and John R. Rockart. Construction proceeded from 1932 to 1935, when the Court was finally able to occupy its own building, across the plaza from the Capitol at One First Street, N.E.

The Greek style of architecture, Corinthian order, was selected because it best harmonized with nearby congressional buildings. The building was designed on a scale in keeping with the importance and dignity of the Judiciary, as one of the three equal and coordinate branches of the United States Government, and as a symbol of "the national ideal of justice in the highest sphere of activity."

The general dimensions of the foundation are 385 feet east and west, from front to back, and 304 feet north and south. At its greatest height, the building rises four stories above the terrace or ground floor. Marble was chosen as the principal material to be used and three million dollars' worth was gathered from foreign and domestic quarries. Vermont marble was used, almost exclusively, for the exterior, while the four inner courts are of crystalline flaked, white Georgia marble. Above the basement level, the walls and floors of all corridors and entrance halls are either wholly or partially of creamy Alabama marble.

The wood in the offices throughout the building, such as doors, trim, and paneled walls, is American quartered white oak. All floors in the important rooms are also of oak.

Somewhat surprisingly, the Court Building cost less than the $9,740,000 that was authorized for its construction. Not only was the final and complete cost of the building within the appropriation, but all furnishings were also procured, even though it had initially been expected that they would require additional appropriations. Upon completion of the project, $94,000 was returned to the Treasury. Its replacement cost is estimated at $125 million by George M. White, Architect of the Capitol.

Touring the Building

The main entrance to the Supreme Court Building is on the west, facing the United States Capitol. A few low steps lead up to the 100-foot-wide oval plaza that extends across the front of the building. Flanking these steps is a pair of marble candelabra with carved panels on their square bases depicting: Justice, holding sword and scales, and

The Three Fates, weaving the thread of life. On either side of the plaza are fountains with benches.

The bronze flagpole bases are crested with symbolic designs of the scales and sword, the book, the mask and torch, the pen and mace, and the four elements: air, earth, fire, and water.

On either side of the main steps are seated marble figures. These large and prominent statues are the work of sculptor James Earle Fraser. On the left, is a female figure, the Contemplation of Justice. On the right, is a male figure, the Guardian or Authority of Law.

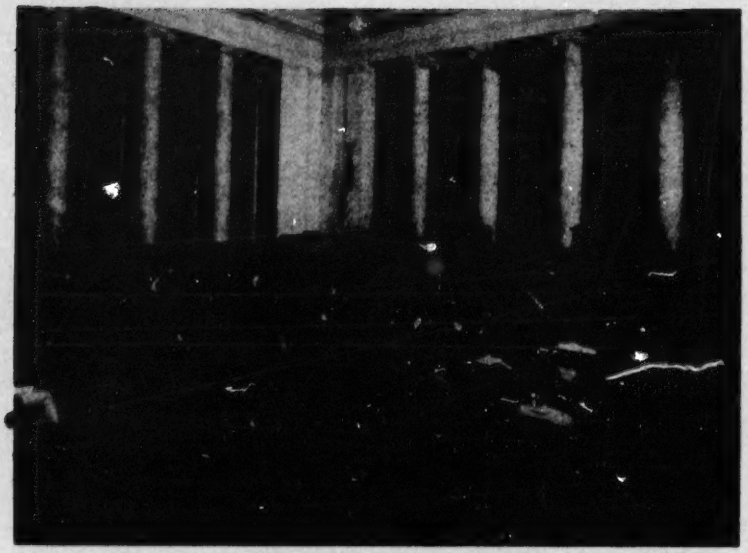
Sixteen huge marble columns at the main west entrance support the portico. On the architrave above is incised "Equal Justice Under Law." Capping the entrance is the pediment, filled with a sculptured grouping by Robert Aitken, representing Liberty Enthroned guarded by Order and Authority. On either side are groups of three figures depicting Council and Research.

Too often, visitors do not see the corresponding pediment and additional marble columns on the east front. Here the sculpture group is by Herman A. MacNeil and the marble figures represent great lawgivers, Moses, Confucius, and Solon, flanked by symbolic groups representing Means of Enforcing the Law, Tempering Justice with Mercy and Carrying on of Civilization and Settlement of Disputes Between States. The architrave bears the legend: "Justice the Guardian of Liberty."

The classic beauty and dignity of the Supreme Court Building are found in the most minute detail. As one enters between the bronze doors of the west front, it is difficult to realize that each weighs six and one-half tons and slides into a wall recess when open. The door panels, sculptured by John Donnelly, Jr., depict historic scenes in the development of the law: the trial scene from the shield of Achilles, as described in the *Iliad;* a Roman praetor publishing an edict; Julian and a pupil; Justinian publishing the *Corpus Juris;* King John sealing the Magna Carta; The Chancellor publishing the first Statute of Westminster; Lord Coke barring King James from sitting as a Judge; and Chief Justice Marshall and Mr. Justice Story.

The main corridor is known as the Great Hall. At each side, double rows of monolithic marble columns rise to a coffered ceiling. Busts of former Chief Justices are set in niches along the side walls. The frieze is decorated with medallion profiles of lawgivers and heraldic devices.

From the Great Hall, oak doors open into the building's central room, the Court Chamber. This dignified room measures 82 by 91 feet and has a 44-foot ceiling. Its 24 columns are Sienna Old Convent marble from Liguria, Italy; its walls are Ivory Vein marble from Alicante, Spain; and its floor borders are Italian and African marble.



The Courtroom

The raised Bench, where the Justices sit during sessions, and other furniture in this room are mahogany. The Bench was altered from a straight-line to a "winged" or half-hexagon shape in 1972. The Chief Justice and the two senior Justices are seated in the center section with three Justices at their right and left on each wing, thus providing all nine Justices sight and sound advantages over the original design.

Draperies and floor covering in the room are a dark red. The Clerk's desk is at the left of the Bench; the Marshal's is on the right. A bronze railing divides the public section from that of the Bar.

Overhead, along all four sides of the Chamber, are sculptured marble panels, the work of Adolph A. Weinman:

—Directly above the Bench are two central figures, depicting Majesty of the Law and Power of Government. Between them is a tableau of the Ten Commandments. The group at the far left represents Safeguard of the Rights of the People, and Genii of Wisdom and Statecraft. At the far right is The Defense of Human Rights.

—To the right of visitors is a procession of historical lawgivers of the pre-Christian era: Menes, about 3400 B.C.; Hammurabi, about 1900 B. C.; Moses, about 1576-1456 B. C.; Solomon, about 973-933 B. C.; Lycurgus, 9th century B. C.; Solon, about 600 B. C.; Draco, 7th century B. C.; Confucius, 551-478 B. C.; Augustus, 63 B. C.-A. D. 14. They are flanked by figures symbolizing Fame and History.

—To the left are historical lawgivers of the Christian era: Napoleon, 1769-1821; Marshall, 1755-1835; Blackstone, 1723-1780; Grotius, 1583-1645; Saint Louis, 1215-1270; King John, about 1167-1216; Charlemagne, 742-814; Mohammed, 570-632; Justinian, 483-565. Figures representing Liberty and Peace and Philosophy appear at either end.

—Symbolized on the west wall above the main entrance is Justice with the winged female figure of Divine Inspiration, flanked by Wisdom and Truth. At the far left the Powers of Good are shown, representing Security, Harmony, Peace, Charity, and Defense of Virtue. At the far right the Powers of Evil are represented by Corruption, Slander, Deceit, and Despotic Power.

The main floor also includes the Justices' Chambers, the large East and West Conference Rooms, the offices of the Marshal, offices of law clerks and secretaries, the lawyers' lounge, and four inner courtyards with central fountains. Two much-admired spiral stairways, ascending five stories, are located near side entrances to the Courtroom. They are marble and bronze and are supported only by overlapping steps and by their extension into the walls.

Most of the second floor is devoted to office space, except for the Justices' library reading room and dining room. The offices of the Reporter of Decisions are also located on this floor.

The library, occupying the third floor, has a collection of over 200,000 volumes. It is finished in American oak; this contrasts with the marble used elsewhere. Its main reading room is paneled, pilastered, and hand-carved oak; the carved designs include a number of life-sized figures. The woodcarving here, as throughout the building, is the work of Matthews Brothers.

Ground and basement floors are devoted to offices and public services, including: the offices of the Clerk of the Court, the offices of the Administrative Assistant to the Chief Justice, public exhibits, the security headquarters, the press room, a cafeteria, public telephones, and rest rooms. An office for the Solicitor General, the private conference room and the robing room of the Justices are also provided in the building.

BUILDING HOURS FOR THE PUBLIC

The Supreme Court Building is open to the public from 9 a.m. until 4:30 p.m. daily, Monday through Friday. It is closed on Saturdays, Sundays, and holidays. A half-million visitors come to the building each year, with a peak influx in the spring. Guided tours are available when the Court is not sitting (inquire from the uniformed security guards). A cafeteria (ground floor) is open to the public for breakfast and lunch.